SINGLE BENCH

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (CHHATTISGARH)

W. P. NO.2033 OF 2005

PETITIONER

Manas K Dasgupta, S/o Shri Sharda Charan Dasgupta, aged about 60 yrs., Advocate, R/o Near Bus Stand,Ghargoda Tahsil Gharghoda, District Raigarh (Chhattisgarh)

V E R S U S

RESPONDENTS

1. State of Chhattisgarh,Through Secretary,Department of Law & Legislative Affairs, D. K. S. Bhawan,Raipur (Chhattisgarh)

2. Collector, District Raigarh (Chhattisgarh)

P.R. No. 1987/05
Presented by Shri ...
dated 02/05/05

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN NATURE OF CERTIORARI, MANDAMUS, PROHIBITION AND OTHER SUITABLE WRIT OR WRITS, DIRECTION OR DIRECTIONS, ORDER OR ORDERS:

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 2033/सन् 2005

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	13-6-2005 Mr. Manindra Shrivastava, Senior Advocate with Mr. Ashish Gupta, Advocate for the petitioner. Mr. Sunil Otwani, Panel Lawyer for the State/respondents. Heard. As agreed by learned counsel for the parties, this petition is being disposed of at the admission stage itself. As per the averments made in the petition, the petitioner is a practicing Advocate at Tehsil: Gharghoda, District: Raigarh since 1978. The petitioner was appointed as Notary under the Notaries Rules, 1956, in the year 1994 vide order dated 30-7-1994, and his certificate to practice as Notary was renewed vide order dated 3-3-1998 up to 29-7-2000, thereafter the certificate was again renewed on 31-7-2000 up to 29-7-2003 which are annexed with this petition as Annexures P-2 & P-3. The petitioner again applied for renewal of the certificate on a non-judicial stamp of Rs.500/- and Rs.500/- has been paid by challan on 24-6-2003. However, the petitioner received a communication dated 7-1-2004 from the Deputy Secretary, Law & Legislative Affairs Department, Govt. of Chhattisgarh, Raipur, by which he was informed that the certificate of Notary will not be renewed, which is Annexure P-5. The action of the respondents is not only illegal, arbitrary, irrational and the same is in violation of Section 5 of the Notaries Act. Learned Senior Counsel for the petitioner argued that similarly situated other public Notaries filed various writ petitions which were decided by this Court vide order dated 24-3-2005, and allowing those petitions the Court directed the State Government to consider the case of the petitioners as an individual case on their own merits and decide the same in accordance with law. Therefore, this petition be disposed of on the same terms directing the	

XI-HC-22

(39)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.2033/ **सन्** 2005

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Rr	State Government to consider the case of the petitioner for renewal of the certificate in the light of the above order to which learned counsel for the State/ respondents has no objection. Therefore, having heard learned counsel for the parties, having regard to the averments made in the petition and also the order of this Court dated 24-3-2005 passed in W.P.No.3247/2003 (Chandra Prakash Sharma vs. State of Chhattisgarh & another) and other petitions, the instant petition is allowed and the State Government is directed to consider the case of the petitioner as an individual case on its own merits and decide the same in accordance with law, in the light of the observations made in the order dated 24-3-2005. In view of this order, I.A.No.3835/2005 stands disposed of. Parties are entitled for certified copy of this order. **Sd/-** **L.C. Bhadoo** **Judge**	
Soma		

(पीछे देखिये)

15.6.05 17.6.05